

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0843-03
Bill No.: Perfected HCS for HB 185
Subject: Children and Minors; Crimes and Punishment; Law Enforcement Officers and Agencies; Public Safety Department.
Type: Original
Date: January 31, 2003

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
General Revenue	(\$91,612)	(\$59,055)	(\$60,553)
Total Estimated Net Effect on General Revenue Fund	(\$91,612)	(\$59,055)	(\$60,553)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
None			
Total Estimated Net Effect on Other State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 6 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
None			
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of Administration - Office of Information Technology** and the **Office of Attorney General** each assume this proposal would not fiscally impact their respective agencies.

Officials from the **Missouri Department of Transportation (MoDOT)** state this proposal establishes both local and statewide abduction-alert programs. MoDOT states it is not designated as a state-emergency-alert-system broadcaster, however, MoDOT can voluntarily utilize its message devices (Changeable Message Signs and Dynamic Message Signs) for displaying abduction-alert messages. MoDOT assumes that it will not purchase new devices for the primary purpose of displaying such messages, and therefore, assumes this proposal would not fiscally impact their agency.

Officials from the **Office of Secretary of State (SOS)** assume there would be costs due to additional publishing duties related to the Department of Public Safety's authority to promulgate rules, regulations, and forms. SOS estimates the division could require as many as 10 new pages of regulations in the Code of State Regulations at a cost of \$27.00 per page, and 15 new pages in the Missouri Register at

ASSUMPTION (continued)

a cost of \$23.00 per page. Costs due to this proposal are estimated to be \$615, however, the actual fiscal impact would be dependent upon the actual rule-making authority and may be more or less. Financial impact in subsequent fiscal years would depend entirely on the number, length, and frequency of the rules filed, amended, rescinded, or withdrawn. SOS does not anticipate the need for additional staff as a result of this proposal, however, the enactment of more than one similar proposal may, in the aggregate, necessitate additional staff.

Oversight assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process. Any decisions to raise fees to defray costs would likely be made in subsequent fiscal years.

Officials from the **Department of Public Safety - Missouri Highway Patrol (MHP)** state their Division of Drug and Crime Control (DDCC) would require 1 FTE as a result of this legislation. Duties would include serving as coordinator for the AMBER alert program, running the program for small agencies, verifying the accuracy of data provided, maintaining the rules, creating, maintaining and purging files and maintaining statistics on the program.

In addition, it would be necessary for the current staff to develop an initial set of rules. Since this is one-time only, the MHP's DDCC assumes it could be handled through overtime, rather than with an additional or part-time FTE. Therefore, an overtime cost of approximately \$2,080 (\$13.00 x 160 hrs) would be incurred.

The MHP assumes the cost to implement this proposal would be \$92,302 in the first year (which includes the purchase of car and other necessary equipment for the new FTE), and then roughly \$60,000 per year thereafter.

Officials from the **Department of Public Safety - Director's Office** state that their department would be responsible to coordinate with local law enforcement agencies and public commercial television and radio broadcasters. Currently, the Highway Patrol coordinates the Missouri ALERT system, therefore this proposal would not fiscally impact the Director's Office.

Officials from the **Office of State Courts Administrator, Office of Prosecution Services** and the **Office of the State Public Defender** each assume this proposal would not fiscally impact their respective agencies.

ASSUMPTION (continued)

Officials from the **St. Louis Metropolitan Police Department**, **Clark County Sheriff's Office** and the **Springfield Police Department** each state this proposal would not fiscally impact their respective agencies.

Officials from the **Kansas City Police Department** and the **Reynolds County Sheriff** did not respond to our request for fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2004 (10 Mo.)	FY 2005	FY 2006
GENERAL REVENUE FUND			
<u>Costs - Missouri Highway Patrol</u>			
Personal Service (1 FTE)	(\$27,275)	(\$33,549)	(\$34,387)
Fringe Benefits	(\$17,251)	(\$21,220)	(\$21,750)
Equipment and Expenses	<u>(\$47,086)</u>	<u>(\$4,286)</u>	<u>(\$4,416)</u>
<u>Total Costs - Missouri Highway Patrol</u>	<u>(\$91,612)</u>	<u>(\$59,055)</u>	<u>(\$60,553)</u>
ESTIMATED NET EFFECT ON GENERAL REVENUE FUND	<u>(\$91,612)</u>	<u>(\$59,055)</u>	<u>(\$60,553)</u>
 <u>FISCAL IMPACT - Local Government</u>	 FY 2004 (10 Mo.)	 FY 2005	 FY 2006
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

This proposal creates a statewide Amber Alert Program for the purpose of identifying and

RAS:LR:OD (12/02)

locating abducted persons. It defines an "abducted person" as a person whose whereabouts is unknown and whose disappearance poses a credible threat of immediate danger of serious bodily harm or death to such person, as determined by local law enforcement officials.

The proposal requires the Department of Public Safety to develop regions for the program and to coordinate law enforcement agencies and broadcasters in those regions. The department also has the authority to notify other regions when there is credible evidence that an abduction is moving across regions.

Participation in the Amber Alert Program is voluntary for local law enforcement agencies. Local law enforcement agencies that do not set up a local Amber Alert Program shall contact the department if an abduction occurs in their area, and the department will notify local media.

The proposal requires local law enforcement agencies to develop procedures to verify that a person has been abducted. Upon verification, the local law enforcement agency shall notify the Department of Public Safety and recommend an alert under the Amber Alert Program. The alert will be sent to the state emergency alert system broadcaster, and participating radio and television stations will issue the alert at designated intervals.

The proposal requires the alert to contain all information the local law enforcement agency has that may assist in the safe return of the abducted individual and instructions for individuals with information to contact the local law enforcement agency. The alert is canceled upon notification by the department that the person has been found or at the end of the notification period.

The proposal requires programs established after August 28, 2003, to conform to certain standards. These standards include only activating the alert in cases of persons whose disappearance poses a credible threat of immediate danger of serious bodily harm or death as determined by local law enforcement officials and in situations when there are enough details available about the abducted person to make the activation useful. The alert will not be activated in custodial disputes unless there is a credible threat of immediate danger of serious bodily harm or death. Also, any person who knowingly makes a false report of an abduction that triggers an alert is guilty of a class A misdemeanor.

This legislation is not federally mandated and would not require additional capital improvements or rental space. The proposal may duplicate other programs that are currently in place. Alert Missouri,

DESCRIPTION (continued)

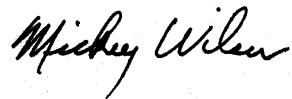
RAS:LR:OD (12/02)

similar to the AMBER Alert program, is currently administered by the Department of Public Safety and was issued by Executive Order 02-17.

SOURCES OF INFORMATION

Department of Public Safety
Missouri Highway Patrol
Director's Office
Office of Administration
Office of the Attorney General
Office of the Secretary of State
Missouri Department of Transportation
Springfield Police Department
St. Louis Metropolitan Police Department
Clark County Sheriff
Office of the State Courts Administrator
Office of Prosecution Services
Office of the State Public Defender

NOT RESPONDING: **Kansas City Police Department, Reynolds County Sheriff**



Mickey Wilson, CPA
Director
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